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Spring 2-1-2017

PSCI 433.01: International Law and Organization

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The University Of Montana

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INTERNATIONAL LAW AND ORGANIZATIONS (REVISED 1.25.17)
SPRING 2017
TUESDAYS AND THURSDAYS, FINE ARTS 302, 12:30-1:50

PROF. ANNA CONLEY
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OVERVIEW OF COURSE: This course will provide an overview international law and organizations. This course will introduce students to the fundamentals of international law and organizations, including enforcement and compliance issues, sources of international law, dispute resolution in international law, an introduction to international human rights and international law regarding the use of force.

READINGS: Readings are from Sean Murphy, Principles of International Law (2d. Edition) and supplemental readings posted on Moodle. Readings for each class are listed below. Where readings include additional readings beyond the Murphy text, the readings are listed below, and on moodle attached in the section for the applicable class below. All students are responsible for reading the assigned Murphy text and the additional text listed in the syllabus and attached below for each class. **Students are expected to come to class prepared to answer questions and engage in meaningful discussion regarding the subject matter in each listed reading.**

GRADING/ASSESSMENT: There will be three in class assessments throughout the course, as marked in the syllabus below. These assessments will require students to answer questions relating to the material studied to date. Some of these questions will be hypothetical, and others will require very short essay answers. Answers for each question should be no more than 500 words.

The first two in class assessment answers are each worth 25% of your grade. The third in class assessment is worth 50% of your grade. The assessments are cumulative, meaning students will be responsible for all class content at the time of assessment. The assessments will be graded based on the students substantive answer as well as how the organization, grammar, and cogency of the answer. Only traditional letter grades will be given in this course.

Objectives and Learning Outcomes: At the end of this course, students should have a clear idea of the rules, actors, and disputes resolution mechanisms in international law. Additionally, students should have an understanding of the history and conceptual underpinnings of international law. Students should be knowledgeable regarding the international human rights' history, multi-lateral and regional treaty regimes, substantive rights, monitoring of human rights compliance and dispute resolution. Substantive rights covered in this class include rights guaranteed to all, rights guaranteed to specific groups, and prohibitions on specific conduct. Students should also be knowledgeable regarding international law of use of force.

Office Hours: I will have office hours on Thursday from 1:50 – 2:50 in Brantly. Room to be announced.

Reading:

Class 1: Tuesday, January 24: Introduction to international law, including definitions, actors, enforcement and sanctions.

- Murphy: 173-197

Class 2: Thursday, January 26: History of International Law and the importance of sovereignty

- Murphy: 19-26
- Excerpts of treaty of Westphalia (moodle)

Class 3: Tuesday, January 31: International legal rules: Introduction to treaties

- Murphy: 77-83
- Vienna Convention on the Law of Treaties, Articles 6, 9, 10, 11, 14, 15, 16, 18, 24, 26, 27, 31, 32, 57, 60, 61, 62, 64 (moodle).

Class 4: Thursday, February 2: Treaties and reservations

- Murphy: 83-90
- Vienna Convention on the Law of Treaties, Articles 19-23 (moodle)

Class 5: Tuesday, February 7: International legal rules cont'd: Customary International Law

- Murphy 91-101
- Paquete Habana (moodle)

Class 6: Thursday, February 9: International legal rules cont'd: General Principles of Law, Jus Cogens

- Murphy 101-116
- Prosecutor v. Furundzija (moodle)

Class 7: Tuesday, February 14: First In Class Assessment

- No reading

Class 8: Thursday, February 16: United Nations' role in creation of international law

- Murphy 47-62

Class 9: Tuesday, February 21: UN Security Council's role in enforcement of international law

- Murphy 104-106
- UN Charter Chapter VII (moodle)
- UN Security Council Resolution 2253 (2015) pp. 1- 6 only (moodle)

Class 10: Thursday, February 23: Tribunals and dispute resolution in international law: Arbitration

- Murphy 125-140
- South China Sea case summary, map and 9 dash line diagram (moodle)

Class 11: Tuesday, February 28: Tribunals and dispute resolution in international law, cont'd: International Court of Justice

- Murphy 140-162
- Summary of Avena ICJ case (moodle)

Class 12: Thursday, March 2: NO CLASS

Class 13: Tuesday, March 7: Tribunals and dispute resolution in international law, cont'd: International Criminal Court

- Murphy 472-487
- ICC Article (moodle)

Class 14: Thursday, March 9: International law as part of U.S. law

- Murphy 167-169
- Constitutional provisions relating to international law (moodle)
- Roper v. Simmons excerpts (moodle)

Class 15: Tuesday, March 14: Second In Class Assessment

- No reading

Class 16: Thursday, March 16: Introduction to international human rights

- Murphy 333-336, 340-345
- UN Charter, Articles 1-2 (moodle)
- Universal Declaration of Human Rights (moodle)

Class 17: Tuesday, March 28: International human rights cont'd: International Covenant on Civil and Political Rights and International Covenant on Economic, Social and Cultural Rights

- Murphy 345-350
- ICCPR, Articles 1 – 23 (moodle)
- ICESCR Articles 1 – 15 (moodle)

Class 18: Thursday, March 30: International human rights cont'd: Specialized human rights treaties

- Murphy 350-362
- Convention Against Torture, Arts. 1, 2, 3, 10, 11, 14, 15 and 16 (moodle)

Class 19: Tuesday, April 4: Monitoring, compliance and dispute resolution of international human rights: UN treaty-based monitoring, compliance and dispute resolution bodies - GUEST SPEAKER

- Murphy 362-369

- Optional Protocol to ICCPR (moodle)
- Damien v. Jamaica (moodle)

Class 20: Thursday, April 6: International human rights cont'd: Refugee rights under international law - GUEST SPEAKER

- Murphy 279-381
- UNHCR – Convention and Protocol Relating to the Status of Refugees (moodle)

Class 21: Tuesday, April 11: International human rights cont'd: Criminal defendants' rights under international law

- Power point (moodle)

Class 22: Thursday, April 13: Regional human rights tribunals: European Convention and Court of Human Rights

- Murphy 369-372
- Soering case (moodle)

Class 23: Tuesday, April 18: Regional human rights tribunals cont'd: African Charter on Human and Peoples' Rights and African Court of Human Rights

- Murphy 377-378
- African Commission v. Libya (moodle)

Class 24: Thursday, April 20: Detention in Guantanamo – GUEST SPEAKER

Class 25: Tuesday, April 25: Use of force – Jus Ad Bellum

- Murphy, 491-514

Class 26: Thursday, April 27: Use of force, cont'd – Jus In Bello

- Murphy 515-529

Class 27: Tuesday, May 2: Review of human rights and use of force

- No reading

Class 28: Thursday, May 4: *Third In Class Assessment*

Disability Services & Accommodations

The University of Montana assures equal access to instruction through collaboration between students with disabilities, instructors, and Disability Services for Students. If you have a disability that adversely affects your academic performance, and you have not already registered with Disability Services, please contact Disability Services in Lommasson Center 154 or 406.243.2243. I will work with you and Disability Services to provide an appropriate modification.

Academic Honesty

All students must practice academic honesty. Academic misconduct is subject to an academic penalty by the course instructor and/or a disciplinary sanction by the University. All students need to be familiar with the [Student Conduct Code](http://www.umt.edu/vpsa/policies/student_conduct.php): (http://www.umt.edu/vpsa/policies/student_conduct.php).

Attendance Policy

The in class assessments that make up students' grades will include information in the reading and discussed in class. Students are responsible for all materials set forth in reading and discussed in class.

Withdrawing from Course

February 10, 2017: last day to withdraw from course without W and with refund.

May 5, 2017: last day to withdraw from course with W and without refund.